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Letter dated 14 November 2008 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

I have the honour to transmit a letter addressed to you by the President of the Republic of Cyprus, Demetris Christofias (see annex), concerning a serious incident which occurred yesterday off the southern territorial waters of Cyprus, when vessels legitimately conducting exploratory surveys within the exclusive economic zone of Cyprus upon authorization from my Government, received threats by a Turkish warship and were forced to withdraw within the territorial waters of Cyprus.

You may recall that this is the latest in a series of violations by Turkey of Cyprus's sovereignty and territorial integrity, and of its maritime space, which have included the conduct of military exercises with live ammunition therein and the unlawful exploration of its sovereign natural resources. All these violations have been duly brought to the attention of the United Nations.

The above incident itself, as well as its timing, give rise to grave concerns. The hostile and threatening character of the incident points to the increasingly aggressive nature of Turkey's actions in the maritime space of Cyprus, while its timing, in the midst of a process aiming to reunify the island, serves only to undermine the process and to raise doubts as to Turkey's commitment to it.

It is all the more disconcerting that Turkey will begin a two-year term on the Security Council on 1 January 2009 when it displays such contempt for the Charter of the United Nations and the United Nations Convention on the Law of the Sea, the majority of whose provisions codify customary international law. Turkey's conduct vis-à-vis the Republic of Cyprus, a sovereign, democratic and responsible State Member of the United Nations, reconfirms that Turkey itself is a source of tension and instability in the eastern Mediterranean.

The Government of Cyprus has no doubts about its sovereignty over the totality of its territory, its territorial sea and its airspace and/or about its sovereign rights over its exclusive economic zone and its continental shelf. It is in exercising a sovereign right in full conformity with international law that Cyprus is proceeding

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with the prospection, exploration and production of hydrocarbons in its exclusive economic zone. In accordance with relevant international law, Turkey has no legal, or other, interest in these areas.

The Republic of Cyprus, its convictions fortified by the certainty of upholding and defending international legality and fundamental principles of international relations enshrined in the Charter of the United Nations, stands firm on its positions of principle and will continue to exercise its sovereign rights under international law.

I would be grateful if the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 21, and of the Security Council.

(*Signed*) Minas **Hadjimichael**

Annex to the letter dated 14 November 2008 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

I feel obliged to communicate with you in order to draw your attention to a most serious incident that took place in the early morning of 13 November, which is related to your good offices mission in Cyprus and the negotiations that are in process under the auspices of the United Nations.

A Turkish warship approached yesterday two ships under foreign flag that were conducting an exploratory survey within the exclusive economic zone (EEZ) of the Republic of Cyprus, 27 miles off the south coast of the island. Both ships were conducting the survey for, and on behalf of, the Government of the Republic of Cyprus, and informed accordingly the Turkish warship, when asked. The Turkish warship, after threatening the two foreign flagged ships, claimed to be within the EEZ of Turkey. The two ships were forced, by the Turkish warship, to cease their operations and withdraw within the territorial waters of the Republic of Cyprus, under fear for the lives of their crews and the integrity of the ships.

It becomes apparent that Turkey continues its unacceptable policy of questioning the sovereign right of the Republic of Cyprus, as a State Member of the United Nations, to exploit the natural resources within its EEZ, in accordance with international law and in particular the United Nations Convention on the Law of the Sea. Needless to remind you, in this respect, that such behaviour constitutes a violation of the obligation of Turkey, as a Member of the United Nations, to respect the sovereignty and territorial integrity of all States, including that of the Republic of Cyprus, as the United Nations has repeatedly underlined in numerous resolutions by the Security Council, on which, ironically enough, Turkey will sit as a non-permanent member in less than two months' time.

The gravity of the incident cannot be overstated, taking into account the crucial time in relation to the efforts for a comprehensive settlement of the Cyprus problem. Turkey has chosen, once more, to ignore the calls of the international community to actively support the efforts for a solution and, on the contrary, it continues to do all in its power to undermine such efforts by demonstrating aggressive behaviour.

More significantly, the provocative Turkish policy, exemplified in the past by military exercises with the use of real ammunition within the territorial waters of the Republic of Cyprus and underlined yesterday by threats directed towards ships of foreign flag within the EEZ of the Republic fills us with disappointment. We have repeatedly shown our good will and constructive spirit, which seems to be reciprocated only with threats and provocation.

The United Nations is investing a great deal in the negotiation process at hand, so such incidents ought to come to your attention immediately. I can only convey the dismay of my Government over what transpired. The Government of the Republic of Cyprus will continue to act always within the dictates of international legality. It is our belief that intransigence and provocation can only be effectively combated through respect of international law and the relevant conventions of the United Nations. I am certain that you, as the Secretary-General of an organization that was designed to uphold world peace, share this conviction.

(*Signed*) Demetris **Christofias**
President of the Republic of Cyprus